

**ANE Investigation and Reporting Process  
Recommended Guidelines**  
to the  
**Kansas Board of Adult Care Home Administrators**  
developed by the  
**Special Task Force on Licensure Standards, Disciplinary Actions**  
December 1997

DATE: December 1997

TO: Kansas Licensed Adult Care Home Administrators

FROM: Kansas Board of Adult Care Home Administrators and the Kansas  
Department of Health and Environment

SUBJECT: Guidelines for Investigating and Reporting Abuse, Neglect and  
Exploitation

**BACKGROUND**

These guidelines are meant to be supportive as a standard of practice for licensed adult care home administrators in Kansas. They are not all encompassing, but rather should be used as an adjunct to an individual's best professional judgement in assuring compliance with the intention of regulations regarding abuse, neglect and exploitation (ANE) investigation and reporting.

**GUIDELINES**

Kansas licensed adult care homes (facilities) shall not tolerate resident abuse, neglect or exploitation (ANE). Policies and procedures shall be in place to assure that all facility personnel are aware of the reporting and investigating standards.

1. Any staff member who has reasonable cause to believe or suspect that ANE of a resident has occurred, whether by another resident, a facility staff member, family member, or other person, shall immediately report to direct supervisor or if supervisor is alleged perpetrator, another administrative designee.
2. Certain professionals are required by law (KSA 39-1401 et seq.) to report suspected ANE (such as adult care home administrators, nurses, social workers, physicians).

3. Respond immediately to reports or suspected ANE

ASSESS. Determine the allegations reported or observed facts, assess the incident and decide whether there is reasonable cause to believe that:

\_\_\_\_\_ Resident has been mentally or physically injured by a caretaker,  
**or,**  
\_\_\_\_\_ resident's health or emotional well-being has been injured by a  
caretaker's failure to maintain reasonable care and/or treatment, **or,**  
\_\_\_\_\_ resident's physical or financial resources have been intentionally  
exploited by a caretaker or another person by use of undue influence, coercion,  
harassment, duress, deception, false representation or pretense.

**If any of the above three categories are suspected to have occurred, the supervisor must immediately:**

\_\_\_\_\_ Report to the facility administrator or administrator's designee, **and,**  
\_\_\_\_\_ Report to the Kansas Department of Health and Environment  
(during regular business hours: 1-800-842-0078) **or**  
\_\_\_\_\_ report to local law enforcement (**and** follow up with KDHE at the  
next available hour of regular business), **and,**  
\_\_\_\_\_ notify physician and legal representative of resident, **and,**  
\_\_\_\_\_ initiate facility investigation according to policies and procedures.

INTERVENTIONS. Determine who is the alleged perpetrator. If the alleged perpetrator is:

\_\_\_\_\_ **A facility staff member**

1. Remove from the area (wing, floor, unit) of the alleged victim.
2. Monitor by direct supervision.
3. Immediately suspend if information suggests there is reasonable cause to believe ANE occurred pending results of investigation, according to individual facility policies.

\_\_\_\_\_ **Another resident**

1. Remove from further contact with alleged victim.
2. Monitor for signs of unacceptable behaviors.

\_\_\_\_\_ **A friend or family member**

1. Monitor interaction by individual during visits.
2. Offer resident the option for restricting this visitor's contact.

FOLLOW-UP ACTIONS. Appropriate action steps should be instituted following a determination that there is reasonable cause to believe ANE has occurred. Action steps may include but are not limited to:

Facility staff member as alleged perpetrator.

- \_\_\_\_\_ Report facility staff member to the appropriate disciplinary authority (see attached listings by discipline, contact person, address and phone numbers).
- \_\_\_\_\_ Retrain, modify supervision, or otherwise discipline according to facility policies.
- \_\_\_\_\_ Terminate employment.

Another resident is alleged perpetrator.

- \_\_\_\_\_ Perform resident assessment (behavior changes).
- \_\_\_\_\_ Develop and implement plan of care to address identified behavior or change in condition.

Resident's family or friend as alleged perpetrator.

- \_\_\_\_\_ Report to law enforcement
- \_\_\_\_\_ Call Kansas Department of Social and Rehabilitation Services
- \_\_\_\_\_ Adult Protective Services hotline: 1-800-922-5330.

CALL KDHE (1-800-842-0078):

- (a) Immediately when there is reasonable cause to believe ANE occurred, **or**,
- (b) Within 72 hours of report of incident, when facility's investigation is inconclusive, **and**,
- (c) A report must be made regardless of whether or not an alleged perpetrator can be identified.

DO NOT CALL KDHE when it has been determined that there is no reasonable cause to believe ANE occurred.

- Discuss any legal concerns with facility counsel.
- All reports of suspected ANE or investigation of incidents relating to suspected ANE should be documented and filed for reference. Standard records retention protocol should be followed.

## **Kansas Health Occupation Regulatory Agencies and Boards**

### Kansas Board of Healing Arts

Lawrence T. Buening, Executive Director  
235 S Topeka Blvd  
Topeka KS 66603  
(785) 296-7413

### Kansas Board of Nursing

Mary Blubaugh, MSN, RN  
Executive Administrator  
Landon State Office Bldg, Ste 551 S  
900 SW Jackson  
Topeka KS 66612-1230  
(785) 296-4929

### Kansas Dental Board

Jerri A. Freed  
Administrative Director  
3601 SW 29<sup>th</sup> Street, Ste 134  
Topeka KS 66614-2062  
(785) 273-0780

### Kansas Board of Examiners in Optometry

Sharon Michel Green, OD  
Secretary/Treasurer  
3111 W 6<sup>th</sup> Ste A  
Lawrence KS 66049  
(785) 832-9986

### Kansas Board of Pharmacy

Susan A. Linn, Executive Director  
Landon State Office Bldg, Ste 513-N  
900 SW Jackson  
Topeka KS 66612-1231  
(785) 296-4056

### Kansas Licensed Dietitian

#### Board of Adult Care Home Administrators

#### Speech-Language Pathologists and Audiologists

Brenda Nesbitt, Public Serv. Admin.  
Bureau of Health Facility Regulation  
Ks. Dept of Health and Environment  
1000 SW Jackson, Suite 330  
Topeka KS 66612-1290  
(785) 296-0061

### Ks Board of Hearing Aid Examiners

Sherry R. Duperier  
MS Executive Officer  
216 1<sup>st</sup>, PO Box 252  
Wichita KS 67202-0252  
(316) 263-0774

### Ks Behavioral Sciences Regulatory Board

Phyllis Gilmore, Executive Director  
712 S Kansas Avenue  
Topeka KS 66603-3817  
(785) 296-3240

### Board of Emergency Medical Services

David Lake, Administrator  
109 SW 6<sup>th</sup> Street, 2<sup>nd</sup> floor  
Topeka KS 66603-3826  
(785) 296-7296

### Kansas State Board of Regents

Diane S. Glass, State Director  
Adult Education  
Lifelong Learning  
1000 SW Jackson, Suite 520  
Topeka KS 66612-1368  
(785) 296-7159